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SUMMARY RECORD OF THE 14th MEETING

Chairman: Mr. LAMPTEY (Ghana)

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AGENDA ITEM 142: MEASURES TO ELIMINATE INTERNATIONAL TERRORISM (continued)

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 142: MEASURES TO ELIMINATE INTERNATIONAL TERRORISM (continued) (A/49/257 and Corr. 1 (French only) and Add.1 and 2; A/C.6/49/L.1; A/49/287-S/1994/894, A/49/422-S/1994/1086, A/49/498-S/1994/1150, A/49/510-S/1994/1158, A/49/528)

1. Mr. YASSIN (Sudan) said that his Government reiterated its condemnation of all forms of terrorism as criminal acts targeting the lives of innocent people and destroying their property, systematically creating terror and undermining the sovereignty and territorial integrity of States, and threatening international peace and security. Sudan, which complied fully with all its obligations under international law, in particular the duty to refrain from organizing, instigating or encouraging terrorist activities in third countries, had welcomed General Assembly resolution 42/159, which dealt, inter alia, with measures to prevent international terrorism and the distinction between terrorism and the struggle of peoples for national liberation. It had also acceded to several international instruments such as the International Convention against the Taking of Hostages, the Convention for the Suppression of Unlawful Seizure of Aircraft, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

2. Sudan had always endorsed the measures and decisions on terrorism adopted by the General Assembly. At the forty-eighth session it had co-sponsored resolution 48/122 on human rights and terrorism and had firmly supported decision 48/411 on measures to eliminate international terrorism; earlier, it had also supported resolution 44/51 on the protection and security of small States and resolution 46/51, also on measures to eliminate international terrorism.

3. On the specific subject of international cooperation he recalled that on 15 August 1994 the Sudanese security authorities, in cooperation with the French authorities, had arrested the terrorist Ilich Ramírez, a Venezuelan national known throughout the world as Carlos, and had extradited him to France. The arrest and extradition of Carlos was a clear example of Sudan's cooperation with France in the fight against terrorism.

4. Turning to the problem of the definition of terrorism, he said that, firstly, the classification of States, without evidence, as terrorist States or States sponsoring terrorism constituted interference in their political, economic, social and cultural development and, as such, clashed with one of the basic principles of contemporary international law - the principle of non-intervention - embodied and developed by the General Assembly in resolutions 2131 (XX) on the inadmissibility of intervention in the domestic affairs of States, 2625 (XXV) containing the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, and 36/103, the

annex of which contained the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States. It must be emphasized in that regard that the indirect intervention to which those resolutions referred also had to do with the issue of terrorism and State-sponsored terrorism. Sudan had itself been a victim of gross violations of human rights by secessionist groups which often received support and arms from abroad.

5. Secondly, it was clear that a definition of terrorism and international terrorism was indispensable if the international community was to eliminate terrorism and its devastating consequences. It was essential to deal with the various forms and manifestations of terrorist acts within the framework of a precise definition and to avoid exploitation of the term "terrorism" for political purposes. The International Law Commission was more than qualified to propose to the Committee, to an international conference or to any other relevant body a draft convention on the definition of international terrorism and measures to eliminate it. Until such a definition was formulated every State would maintain its own concept of terrorism, and Sudan's concept was that the term "international terrorism" embraced the following ideas: (1) an unjust accusation of terrorism levelled without proof against a State or a person or group of persons and jeopardizing their interests or interfering in their political, economic, social or cultural development should be regarded as a form of intellectual terrorism; (2) acts contrary to international law, such as organizing, fomenting, financing, inciting or tolerating subversive terrorist or armed activities aimed at the overthrow of the regime of another State, or acts encouraging, supporting or promoting rebellious or secessionist activities in other States, or the training, financing and recruitment of mercenaries, or acts directly or indirectly threatening the territorial integrity and security of States or endangering their constitutional order should also be regarded as forms of terrorism.

6. Furthermore, in the fight against terrorist acts it was equally important to draw a distinction between terrorism as such and the legitimate right of peoples subject to the yoke of imperialism, racism or foreign domination to fight against such oppression, exercise their right to self-determination and self-defence, live in freedom and independence, and determine their own choices and the political regime to which they aspired.

7. In its statement at the forty-eighth session of the General Assembly the Sudanese delegation had referred at length to the issue of extremism or fundamentalism and to the mistake of associating them with Islam. It now reiterated its position and endorsed the views stated in the General Assembly a few days earlier by the Crown Prince of Jordan, Elhassan Bin Talal, with regard to the distortion of the image of Islam.

8. The Sudanese delegation welcomed the report of the Secretary-General (A/49/257) containing the views and proposals submitted by Governments in accordance with paragraph (a) of decision 48/411. It was also participating actively in the informal consultations on the item and hoped that the efforts made so far would facilitate a consensus on a declaration on measures to eliminate international terrorism. However, such a declaration alone would not

be sufficient to solve the problem because the underlying causes of national and international terrorism included economic, social and political factors, feelings of injustice, and the deprivation of peoples, groups or individuals of their fundamental rights. Other practical measures aimed at the gradual elimination of the fundamental causes of terrorism would therefore be needed; accordingly, the appeal made by the European Union and Austria in that connection was welcome.

9. The use of the term "international terrorism" for political ends would only impede the collective efforts to secure the speedy elimination of terrorism and compliance with the purposes and principles of the Charter of the United Nations, especially those relating to the promotion of friendly relations among States, non-interference in the internal affairs of States, and respect for their sovereignty.

10. Mr. AL-BAKER (Qatar) said that Qatar condemned all acts of terrorism, wherever and by whomever committed, whether by persons, States or groups, because they violated the norms of international law and the values cherished by civilized States. Such acts infringed the human rights of innocent civilians, jeopardized friendly relations among nations, undermined the political and economic institutions of States and threatened their internal security, territorial integrity and economic and social development.

11. He expressed the hope that recent international events would make it easier to combat terrorism through economic development, the improvement of living standards and the solving of problems related to self-determination and the independence of peoples, as in the case of South Africa, where the black majority could at last enjoy the rights that had been denied them. One hopeful sign was that some national liberation movements which had previously used violent, aggressive methods had abandoned that tactic and had renounced terrorism as a way to achieve national liberation and re-establish their rights. The Irish Republican Army and other liberation groups had recognized that terrorism did not serve their cause, and that it was better to resort to peaceful dialogue. Indeed, the fight against terrorism had become increasingly complex because terrorists had established ties with illicit drug trafficking, money laundering and arms smuggling. The United Nations and its specialized agencies had had to address all those problems.

12. An item on terrorism had been included for the first time in the General Assembly's agenda at its twenty-seventh session, held in 1972, and since then the Assembly had been adopting resolutions, decisions and recommendations aimed at eliminating terrorism and combating all its manifestations at the national, regional, subregional and international levels. At the current session, the Sixth Committee was considering a draft declaration on measures to eliminate international terrorism, which would supplement previous resolutions. Such a declaration would help to strengthen the legal framework of the counter-terrorist effort. The draft declaration made reference to the relevant international conventions and to bilateral, regional and subregional agreements which called for cooperation among States, and to measures which should be adopted to achieve their objectives. It also encouraged States to review the

scope of the existing international provisions on terrorism with the aim of establishing a comprehensive legal framework covering all aspects of the matter. That task should be carried out by the Committee and the International Law Commission, and should be based on firm juridical principles aimed at strengthening cooperation among States and facilitating the exchange of information and data to help lay the foundations for a new international order. States should recognize that, in order to deal with the problem of terrorism, there was a need for greater solidarity to allow for establishing a humanitarian society based on consensus and understanding.

13. Mr. ANSARI (India) said that it was very important for the international community to devise effective measures to combat international terrorism, since it was a new weapon of mass destruction and was being deliberately spread by some countries. In that regard, it was imperative for Member States to negotiate a comprehensive, binding convention. Such a convention would replicate the relevant provisions of existing international conventions which addressed terrorism in a piecemeal fashion. In its decision 48/411, the General Assembly, aware of the need to take effective steps to eliminate acts of terrorism requested the Secretary-General to seek the views of Member States on the matter. India, whose views were stated in document A/49/257, felt that the Committee should consider the item annually, and should form a working group to identify widely accepted general principles which were incorporated in international and regional instruments to combat terrorism. On that basis, the group should elaborate concrete measures and explore the possibility of drafting a comprehensive convention against terrorism.

14. Mr. ABDELLAH (Tunisia) said that differences of views had arisen in the Committee in recent years with regard to an issue of great importance, the adoption of measures to eliminate international terrorism. The matter was not merely national in scope, but rather was a threat to international peace and security. More and more frequently, terrorist acts committed in one country were being organized in another, where the perpetrators or instigators took refuge, flouting the most elemental norms of hospitality. Such terrorists committed acts which not only hurt their countries of origin but also affected relations between the latter and the host country. Consequently, before considering giving refuge to anyone, a State should consult with the State of origin and with the International Criminal Police Organization (INTERPOL) to be sure that the person was not implicated in terrorist activities. States should also ensure that persons seeking asylum were not engaged in activities that provoked violence in their countries of origin. States should refrain from organizing, encouraging, participating in or acquiescing in acts of terrorism in the territory of other States.

15. Tunisia, which spared no effort in its opposition to acts of terrorism, had taken steps at the domestic level, had acceded to the relevant international conventions and had collaborated closely with other States. The elimination of international terrorism depended on the political will of States to strengthen their cooperation in that field. An example of such political will was the adoption, at the most recent summit meeting of the Organization of African Unity (OAU), held in Tunis, of a code of conduct in which the African States

agreed to intensify their cooperation in the struggle against international terrorism. Such strengthening would include, in particular, the adoption and implementation of concrete measures.

16. The draft declaration before the Committee fit in with the same general purpose, since it listed a series of practical measures to strengthen cooperation. It also made it possible to address the issue with complete freedom, without being bound by the resolutions already adopted. In any case, the declaration was only a first step, which should be followed by the adoption of a convention against terrorism.

17. Lastly, he felt that some consideration should be given to the proposal on the establishment of an international surveillance system against terrorist activities.

18. Mr. ODEVALL (Sweden), speaking on behalf of the Nordic countries, said that there was broad agreement among States on how to tackle many aspects of terrorism. All acts of terrorism were considered illegal at the national and international levels. A whole range of international conventions covered a multitude of terrorist acts that were unequivocally and strongly condemned by the States parties. Thus, the international community did not lack a foundation for continuing its efforts to eliminate international terrorism. The Nordic countries had emphasized the importance of applying conventions already available when combating terrorism, rather than trying to create new instruments. They therefore strongly opposed the idea of convening a conference on the topic, which might give the impression that existing rules were insufficient. An effort to define terrorism would risk diverting attention from vital issues. In order to achieve tangible results, States should adhere to existing international conventions on terrorism and should strengthen international cooperation to ensure that perpetrators were brought to justice. All measures to eliminate international terrorism should, however, be in conformity with international law, including international human rights instruments. The Nordic countries condemned terrorism in all its forms, regardless of the justifications given for them. However, not all States were prepared to combat terrorism, although they had the means.

19. Mr. AL-ATTAR (Syrian Arab Republic) condemned all terrorist acts, methods and practices, because they were attempts on the lives of innocent people and violated State sovereignty and territorial integrity. His country, which had been one of the first to suffer from terrorism, had demonstrated its opposition to that phenomenon by participating directly and actively in the freeing of hostages and detained persons. It had acceded to the Tokyo, The Hague and Montreal conventions on terrorism and its legislation imposed sanctions on the commission of terrorist acts.

20. There was a need to proceed to the convening of a conference in order to define terrorism and study its causes. That would end the conceptual confusion existing between terrorism and the struggle of peoples subjected to colonial and racist regimes and foreign occupation or other forms of colonial domination. The Syrian Arab Republic had welcomed the adoption of General Assembly

resolution 42/159, which recognized that the effectiveness of the struggle against terrorism could be enhanced by the establishment of a generally agreed definition of international terrorism, and General Assembly resolution 44/29, which constituted a landmark by expanding international cooperation in the struggle against terrorism on the basis of the Charter and international law concerning cooperation among States. At the forty-second session of the General Assembly, the Committee had agreed to convene a conference in order to define terrorism. However, certain States had opposed the holding of such a conference, because they considered it more appropriate to promote accession to existing treaties on terrorism and international cooperation for the exchange of information and the extradition of the perpetrators of terrorist acts. Experience showed that, despite the growing number of conventions on that subject, terrorism was constantly on the rise and was devising new methods, as witnessed in the phenomenon of violence against foreigners. In addition, there was a link between drug-trafficking and terrorism. All those factors required that States should unite their efforts with a view to preparing a general international convention based on other relevant instruments. The International Law Commission should undertake to draft the convention, the adoption of which would be one of the most important achievements of the United Nations Decade of International Law.

21. The Middle East, whose peoples had lived for centuries in a climate of tolerance and peace, was now a focus of violence which threatened international peace and security. That stemmed from the occupation to which a part of the region was subjected. The vicious circle of violence, death and destruction could be broken only if the peace process moved forward and if a comprehensive and just solution was reached.

22. Mr. RABBANI (Pakistan) strongly condemned all acts of terrorism perpetrated by individuals, groups or States, irrespective of the motivation. Pakistan had supported the adoption of measures by the United Nations, the South Asian Association for Regional Cooperation and other international organizations such as the International Civil Aviation Organization; in addition, it was a party to international conventions dealing with various aspects of terrorism. During the past decade, Pakistan had been the largest single target of terrorism sponsored from across a State's borders. In 1987, for example, 3,000 terrorist acts of that kind had occurred, 2,000 of which had taken place in Pakistan. Those acts had been planned by three States, including one of its neighbours which had recently become a convert to the crusade against international terrorism.

23. In the light of the rise in terrorist acts against innocent persons in different parts of the world, it was imperative to invoke General Assembly resolutions, particularly resolution 46/51, in order to set up a basic framework within which the Assembly could continue building mechanisms to tackle and eradicate terrorism. The complex phenomenon of terrorism could be defined as the use or threat of use of force or violence against innocent people, irrespective of the underlying motivation. It could be categorized as individual terrorism, group terrorism, State terrorism and international terrorism. The worst of those was State terrorism, which could be described as the ruthless use of force by an occupying Power in order to suppress the right

of peoples to self-determination. The following were acts of terrorism: the criminal actions carried out by covert agencies of a State against the civilian population of another State in an attempt to subvert and sabotage that State, actions to which Pakistan had been subjected during the Afghan liberation struggle; acts of violence committed by a State against its own people to curb their civil, political and economic rights; acts of occupation and aggression by a State seeking to suppress the freedom of another people; the firing of mortar shells into a market in Sarajevo, killing hundreds of innocent persons; the desecration of places of worship by occupation forces; the acts of violence committed in Kashmir in order to punish and humiliate the entire community; the use of repression by occupation forces in order to break the morale of a people struggling to exercise its right to self-determination; the killing, in a single month, of 132 persons in custody in Kashmir; the barring of hospitals from treating the victims of torture; and the burning of village after village in order to intimidate the civilian population, for no crime except their support for the struggle for self-determination.

24. The international community had been constrained to distinguish between acts of terrorism and the struggle of peoples under colonial and racist regimes and other forms of foreign domination and occupation, because colonial and occupying Powers had always sought to justify the suppression of that struggle by depicting it as "terrorism". The distinction emanated from the need not to compromise one of the most fundamental human rights - the right to be free. That approach had been upheld at the Conference of Heads of State or Government of Non-Aligned Countries held in Jakarta in 1992, which had clearly and unequivocally stated that the struggle for self-determination did not constitute terrorism.

25. Pakistan considered it essential to adopt specific measures against the various manifestations of terrorism, such as hijacking, hostage-taking and crimes against internationally protected personnel. All those manifestations must be eliminated through the struggle of the peoples and strict adherence to the principles of the Charter and international law.

26. Mr. LAMAMRA (Algeria) said that in its decision 48/411 of 9 December 1993 the General Assembly had given further impetus to the consideration of the question of international terrorism by proposing the adoption of practical measures to strengthen international cooperation and achieve greater effectiveness in the fight against terrorism.

27. One of the most effective ways of strengthening that fight, in the framework of the Committee, would be the adoption of a general international convention on the prevention and elimination of all acts of terrorism. In international positive law there were a dozen conventions relating to various aspects of terrorism but there was no general text that made it possible to address terrorism as a whole in a comprehensive and coherent manner. A general convention of that type would also provide a legal framework in which to address the new forms of terrorism that were not covered by existing sectoral conventions and that were outside the scope of existing international positive

law. The international community clearly had an interest in filling this gap in the law as quickly as possible.

28. In order to accomplish this task, Algeria proposed that a working group be set up in the Committee in order to draw up a framework convention for the prevention and elimination of all acts of terrorism. That proposal was in keeping with the Committee's usual practice, and with its mandate as the body responsible for directing the process of the progressive development and codification of international law.

29. His delegation was pleased at the manner in which the question of international terrorism had been tackled that year, through informal consultations to draw up a draft declaration on measures to eliminate international terrorism. In view of the positive spirit in which those consultations were taking place it was to be hoped that the results of the consultations would do justice to the importance of the question. Considerable progress had been made in the elaboration of a draft declaration and it would be unfortunate if, due to lack of time, the consultations did not culminate in the adoption of the declaration; the latter would be a promising new development in the consideration of a question which the General Assembly had been considering for more than 20 years. Accordingly, it would be advisable for the Committee to consider the possibility of holding additional informal consultations to finalize the draft, as a clear sign of the United Nations firm determination not only to reaffirm its unequivocal condemnation of terrorism, whatever its form and by whomever it was committed, but also to promote practical and effective measures to eradicate terrorism.

30. Starting from the lofty concept which his country had of the role of international law in strengthening international cooperation for the benefit of peace, he considered that the Committee should respond promptly to, or even anticipate, the pressing needs felt by the international community. The preparation and implementation of an international strategy for dealing with the present-day challenge of terrorism would be part of that role. No one could assume political and moral responsibility for delaying, even for defensible reasons, the formation of an initial basic consensus on the practical measures for strengthening international cooperation to eliminate terrorism. Algeria was paying dearly for its struggle against the causes and manifestations of terrorism, and it would spare no effort to see that such an international strategy emerged at the current session.

31. Mrs. SAEKI (Japan) said that international terrorism was a major destabilizing factor which undermined the framework of the community of States and international peace and security. Japan was deeply concerned by the growing trend - evident all over the world - towards hate, intolerance, xenophobia and extremism, which threatened not only the security of States but also the right of individuals to freedom of thought and expression. Japan was committed to combating terrorism in all its forms, whatever the motives of the perpetrators, and it fully supported General Assembly resolution 46/51, which unequivocally condemned, as criminal and unjustifiable, all acts, methods and practices of terrorism.

32. On the domestic front, it was essential that each State maintain a clear and consistent policy against all forms of terrorism and fulfil its international obligations through strong and effective measures. Accordingly, Governments should be guided by a firm respect for human rights, fundamental freedoms and the rule of law, in the recognition that terrorism was incompatible with the principles on which democracy was based. Any measure taken by States should be in strict compliance with the relevant rules of international law, including those relating to protection of human rights.

33. On the international front, it should be made clear that the international community would not tolerate encouragement of or acquiescence in terrorist activities by any State. Since terrorism did not respect international boundaries, it was necessary to establish an international cooperation regime to ensure that the perpetrators were denied sanctuary and would not evade punishment. To that end, the international community had sought to consolidate the legal framework through conventions and protocols thus broadening the range of specific acts to be prevented. Japan believed that approach to be effective. She underscored the need to promote the universality of those conventions and protocols, saying that it was important that they be complied with strictly and in good faith. Japan therefore once again urged all Member States to fully discharge their obligations in that area.

34. The Committee should adopt a constructive and pragmatic approach that would deter and prevent specific acts of international terrorism and that would help States and relevant international organizations to take practical measures to combat such crimes. Her delegation welcomed the discussion that was taking place in the Working Group on the draft declaration on measures to eliminate international terrorism. The draft demonstrated the strong will of Member States to combat terrorism, and would be a good basis for consensus.

35. Mr. PREDA (Romania) said that his country had always unequivocally condemned all acts, methods and practices of terrorism wherever and by whomever they were committed, irrespective of their purpose and motivation. The international community should consider any terrorist act an outrage. Accordingly all States must react by strengthening their cooperation in order to root out terrorism.

36. All States which had not yet done so should consider the possibility of becoming party to the international conventions relating to various aspects of terrorism. Romania was prepared to fulfil all its commitments and to cooperate constructively with all States to that end. It was time to develop and implement effective and specific measures in that area, including the negotiation of special agreements on a bilateral, regional or multilateral basis with specific obligations to refrain from organizing, instigating or sponsoring terrorist acts in other States, or from acquiescing in or encouraging such activities in one's own territory. In addition, contracting parties could undertake to intensify cooperation by exchanging relevant information so as to strengthen their capacity to prevent acts of terrorism and to apprehend and prosecute or extradite persons suspected of having perpetrated such acts. Such bilateral or regional agreements could be one of the best ways of combating

terrorism since their provisions would focus on specific acts of terrorism committed in specific areas. He agreed with those delegations that believed that such an approach was the right one and that new international legal instruments would be extremely helpful in the fight against terrorism.

37. It was also very important to educate public opinion through the media. In addition, the United Nations and relevant specialized agencies could promote widespread cooperation in preventing and combating terrorism by increasing public awareness of the consequences of terrorism.

38. It seemed unlikely that convening an international conference to define terrorism and to differentiate it from the struggle of peoples for national liberation would produce practical results. Defining terrorism in specific terms presented insuperable obstacles as experience had already shown. Any attempt to agree on a definition not only was doomed to fail but might jeopardize the elements of consensus that had so painfully been agreed during the past few years.

39. As a democratic country fully attached to the ideals embodied in the Charter, Romania was making its contribution to the achievement of mankind's aspirations and to the answers which must be given to the challenges facing the contemporary world in which international cooperation should be governed by law. As a Romanian diplomat, Nicolae Titulescu, had said in his time, only when the law shone in man's soul, as a self-imposed obligation that was one with organized freedom, only then would mankind be saved.

40. Ms. GOLAN (Israel) said that, with fresh memories of the recent murderous attack in Israel, which had killed 22 innocent people and injured 48 and of the unspeakable attack on the headquarters of the Argentine Jewish Mutual Aid Association in Buenos Aires, which had taken the lives of 100 persons and wounded another 200, the Committee was once again considering the issue of international terrorism. How long must the international community debate about international terrorism, attempt to define it, try to understand it? How long must the cries of the victims and the sight of their shattered bodies be forgotten in the flurry of semantic and legalistic polemics?

41. Israel supported the decision adopted by the Committee the previous year to focus its attention on measures against international terrorism, rather than working out a precise definition of terrorism. International terrorism was a threat to the health of the world order and must be confronted in the manner that a physician confronted threats to the health of the body; he was less concerned with finding a precise definition of the word "disease" and more with devising means to combat bacteria that wreaked havoc with health. Thus, too, the international community must be concerned with devising means to prevent international terrorists from jeopardizing the peace and security of the world.

42. In order for an international terrorist to function, he must be able to move freely from country to country, must be able to acquire his tools of destruction and communicate across borders. It was in those areas that cooperation between States should play a major role. The United Nations,

through its specialized agencies, had already acted to hinder the movements of terrorists. Treaties had been drafted, subsequently adopted by the majority of States, limiting the capacity of terrorists to transport weapons and explosives from one country to another. IAEA had succeeded to a large extent in curbing illicit traffic in radioactive materials. However, more should be done along those lines, and the specialized agencies of the United Nations should draft international agreements that would then be ratified by all Member States. That would limit the access of terrorist individuals or organizations to the means necessary to carry out their acts.

43. It was now technologically feasible to create unforgeable passports and work papers. Cooperation between the appropriate authorities of States in defining a uniform standard for such documents might be worth considering. Another means of hampering the ability of terrorists to travel would be to create an international network of on-line databases allowing border police immediate access to data about suspects. Furthermore, it was imperative to strengthen the international law enforcement framework to prevent terrorists escaping from punishments. In addition, comprehensive action was required against States that employed terrorism, whether directly or through the sponsorship of terrorist groups. It was today clear that, without the financial and logistic support of certain States and without their provision of a safe haven for terrorists, the danger of international terrorism would be greatly reduced, as without State support it was unlikely that such terrorist actions could be performed.

44. In spite of the international community's growing awareness of the dangers of international terrorism, acts of terrorism were still performed in all parts of the world, and there was an urgent need to coordinate and to adopt effective measures to combat and eliminate international terrorism. In that regard, he supported the adoption by the Committee of a declaration unequivocally condemning all acts and practices of terrorism, wherever and by whom committed, without any exception.

45. Mr. PAVA (Colombia) said that the debates on the need to combat the acts, methods and practices of international terrorism were based on the common denominator of rejection and absolute lack of justification of such acts. Terrorism had ramifications that transcended State borders and was associated with other crimes such as drug trafficking, illegal traffic in chemical precursors and arms and money laundering. He stressed the need for all States to cooperate in the struggle against terrorism at the bilateral, regional and multilateral levels and for the United Nations to promote such cooperation. Colombia, which had suffered the consequences of terrorism, undertook to make its contribution at the international level, in full observance of the principles and norms of international law.

46. One characteristic of terrorism was the violation of human rights and fundamental freedoms. Various bodies had pronounced themselves on that subject: the Inter-American Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights and the Ministers for Foreign Affairs of the Movement of Non-Aligned States had

reiterated their grave concern at the continuing acts of terrorism and the grave violations of human rights perpetrated by terrorist groups.

47. Colombia urged States to spare no effort and to overcome some of their differences in order to make it possible to adopt a declaration that unequivocally reflected the unswerving will of States to prevent, combat and eradicate international terrorism.

48. Mr. MOTSYK (Ukraine) unreservedly condemned international terrorism, in all its forms and manifestations, which caused the death of innocent victims, had dire effects on international relations and threatened the territorial integrity and security of States. In that regard, he categorically condemned the recent assault carried out in the centre of Tel Aviv and other terrorist acts such as the taking of hostages, the planting of explosives in aircraft and political assassinations. Such acts should be condemned as criminal and unjustifiable in any circumstances, and those who organized them and carried them out, in many cases for political purposes, should be brought to justice and punished.

49. International terrorism was associated with other crimes such as illicit trafficking in arms and drugs and money laundering. That phenomenon knew no frontiers, and no country was safe from its consequences. All States must therefore unite their efforts to combat it, at the bilateral, regional and international levels.

50. At the multilateral level, Ukraine commended the measures that had been adopted to combat terrorism within the framework of the United Nations and the specialized agencies, in particular by promoting the exchange of information. He expressed gratification at the role being played by the Security Council and at the establishment within the Committee of a working group to prepare a declaration on measures to eliminate international terrorism. He believed that the United Nations had not yet fully utilized all its capacities for the elaboration of norms and should continue its work.

51. One of the aspects that deserved special attention was the preparation of a draft international convention on the safety and security of United Nations and associated personnel. The Ukraine was one of the promoters of that instrument and was confident that the Working Group established to that end would soon adopt an acceptable text, which would be a new contribution to the progress of the codification of international law.

52. Another basic approach in enhancing the effectiveness of measures to combat terrorism was strengthening the relevant international legal basis. He noted with satisfaction that an increasing number of States had acceded to the various conventions on that question. None the less, certain instruments such as the International Convention against the Taking of Hostages, the Convention on the Physical Protection of Nuclear Material and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation had not yet been universally acceded to and he urged the States that had not yet done so to ratify the relevant instruments. Ukraine, for its part, planned to accede to

the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation.

53. Bilateral cooperation in combating terrorism was also of great importance. All States, particularly those with common borders, should strive to collaborate through the signing of bilateral agreements, as Ukraine had recently done.

54. Lastly, the measures to prevent the phenomenon of terrorism should include education, which, while not directly helping to eliminate terrorism, made it possible to inculcate in people the idea that a terrorist act, regardless of the reasons for it and its objectives, was always a crime which must be punished. Like other delegations, he believed that all States should cooperate to eliminate the causes of terrorism and give particular attention to situations involving the massive and blatant violation of human rights.

55. Mr. RODRIGUEZ (Venezuela) said that in spite of efforts made to date, the phenomenon of terrorism still threatened the domestic stability of States and international security. On the basis of the Charter of the United Nations, the international community had agreed on important international instruments and adopted some very pertinent resolutions in order to condemn those unjustifiable acts. Venezuela was a party to some of those instruments and was working towards the legislative adoption of others, in accordance with its legal system. Nevertheless, there was a need to promote the signing of new instruments enhancing the effectiveness of measures to combat those practices. The draft declaration under consideration constituted a further step in combating international terrorism.

56. The international community should urge States to accede to the instruments in force and strive to define the causes of terrorism, which might be very useful in drawing up further norms in that field. Nevertheless, it did not seem appropriate to adopt exhaustive formulas in order to arrive at a complete definition of international terrorism, which might result in the exclusion of other considerations that were equally valid.

57. It was recognized that terrorism was linked to other offences that were equally condemnable and dangerous for the stability of States, such as drug trafficking, money laundering and weapons smuggling. The declaration under consideration should refer to terrorist acts that transcended borders and endangered the security of nations; in that connection, there was a need to define international terrorism.

58. States should undertake specific commitments to combat that intolerable practice and refrain from instigating, causing or promoting such acts or permitting them tc originate in their territory. They should also refuse to shelter those responsible and facilitate the initiation of legal proceedings and the application of appropriate sanctions. Those responsible for terrorist acts must be punished by the State in which the act was committed or the State of which such persons were nationals; in any case, the measures to be adopted, particularly, extradition, should always be subject to the domestic legislation of States.

59. The international community and competent international bodies had repeatedly condemned the phenomenon of terrorism. The Security Council had adopted very important decisions concerning specific acts, such as the hijacking of the Pan Am and UTA aircraft in 1989 and, more recently, the planting of bombs in Buenos Aires and London. The best way to combat terrorism was to promote agreement and cooperation among States and international organizations. Such cooperation should be reflected in agreements on legal assistance and the exchange of information on the results of trials and the imposition of sanctions. Venezuela was not opposed to the establishment of an ad hoc working group to draw up a draft resolution or, for that matter, to convening a conference to consider a new international instrument; nevertheless, those measures should not lead to sterile discussions that contributed nothing to the fight against terrorism.

60. Mr. CHIMIMBA (Malawi) said that Member States had been unequivocal in their condemnation of international terrorism in all its forms and manifestations. Malawi, in addition to being a party to most of the conventions relating to various aspects of the problem, had promulgated an act on the hijacking of aircraft, giving effect to three of those conventions, namely, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, the Convention for the Suppression of Unlawful Seizure of Aircraft and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. The act in question not only provided for the prevention and punishment of such offences, but also made them extraditable.

61. His delegation urged States that had not yet done so to become parties to the existing international instruments dealing with the various aspects of international terrorism. Malawi welcomed the current efforts to draw up a declaration on measures to eliminate international terrorism, which in time should lead to the conclusion of an international convention on the subject. Nevertheless, it was necessary to proceed with caution, particularly where possible links to other areas of international law became apparent. Thus, measures to eliminate international terrorism should not undermine the established rules of international law on refugees, thereby threatening the entire regime for international protection. Some paragraphs in the declaration posed such a problem and neutral wording should be used. For example, one of the paragraphs could read "to refrain from providing refuge to persons who have committed terrorist acts". The end of the cold war had afforded the opportunity to make great strides in a subject that had earlier given rise to difficult conceptual and philosophical debates in the General Assembly. He urged the Committee to continue pursuing the practical approach that it had taken, without at the same time undermining well-established rules of international law.

62. Mr. AYEWAH (Nigeria) said that his country condemned all acts of terrorism wherever they occurred and by whomever they were committed. In addition, his delegation condemned unequivocally all terrorist activities as acts at variance with the purposes and principles of the Charter of the United Nations and international law, jeopardizing friendly relations between States, hindering international cooperation and violating human rights and fundamental freedoms.

63. The link between terrorist activities and drug trafficking and other criminal activities was an alarming development. The laundering of money from drug-related activities was increasing in order to purchase arms and finance other nefarious activities connected with terrorism. The internationalization of such activities posed a threat to international peace and security and undermined national democratic institutions, territorial integrity and the security of States.

64. It was clear that terrorism transcended borders and had both social and economic consequences. In order to combat that phenomenon, international cooperation should be directed towards strengthening measures to combat drug trafficking in order to reduce one of the activities that supported terrorism. In that regard, every effort should be made to stop all illegal trafficking in nuclear material, which required cooperation between the United Nations International Drug Control Programme and the International Atomic Energy Agency.

65. He wished to stress the importance of upholding fundamental freedoms and the dignity of the human person through the promotion of national policies and international cooperation, bearing in mind that all human rights - political, economic, civil, social and cultural - were universal, indivisible and interrelated. In that connection, his delegation wished to recall General Assembly resolution 46/51, which had prescribed a course of action for States and the international community, and reiterated the call for States to conclude bilateral, regional or multilateral agreements and to cooperate in exchanging information concerning the prevention and combating of terrorism.

66. States should be urged to fulfil their obligations under international law and refrain from organizing, instigating, assisting or participating in, or acquiescing in or encouraging terrorist activities within their territory or in that of other States. States must also be urged to ensure the apprehension, prosecution and extradition of perpetrators and to assist in securing the release of hostages and abducted persons. States must contribute to the elimination of the causes of terrorism, such as racism, religious intolerance and flagrant violations of human rights and fundamental freedoms.

67. Nigeria, a signatory to all the treaties on terrorism, welcomed the draft declaration currently being prepared in the Committee. At the same time, stronger multilateral measures, such as the elaboration of a convention, were required to put an end to the problem, and his delegation reiterated its call for an international conference on international terrorism.

68. Mr. YADAVA (Nepal) said that international terrorism had its roots in ideological intransigence, racism, xenophobia, socio-economic imbalances and religious extremism. Its linkage with drug trafficking and illicit arms trading had made it a global and complicated problem.

69. Nepal condemned all acts, methods and practices of terrorism, wherever and by whomever committed, as criminal and unjustifiable because they constituted a threat to peace, stability, democracy, human rights and development. Fully aware of its accountability to the international community, Nepal was both

committed to the purposes and principles of the Charter of the United Nations and the norms and principles of international law and strongly determined to fulfil its obligations under United Nations resolutions and decisions.

70. Addressing the problem of terrorism required the cooperation of the international community. Consequently, all States must fulfil their obligation to refrain from organizing, instigating, assisting or participating in terrorist acts in other States or acquiescing in or encouraging such activities within their territory. The role of the United Nations and its specialized agencies in combating terrorism was important and he was thus gratified to note that a working group had been constituted to consider the question of the safety and security of United Nations and associated personnel. It was hoped that a consensus would be reached for the adoption of the related text during the current session.

71. Regarding an explicit and widely accepted definition of terrorism, his delegation subscribed to the idea of convening an international conference to elaborate a comprehensive framework convention that would contain the relevant provisions of various international instruments.

72. Regional activities could also play a significant role in eliminating terrorism. With that perspective in mind, the South Asian States had concluded, under the aegis of the South Asian Association for Regional Cooperation (SAARC), a convention on the suppression of terrorism, to which Nepal was a party.

73. Special attention must be devoted to identifying the causes of terrorism and adopting practical measures for its speedy and final elimination. International cooperation in the exchange of information, the harmonization of legislation and the campaign against terrorism could also contribute significantly to the solution of the problem. His delegation was convinced that the elimination of terrorism would help create an environment conducive to the achievement of the common goals of peace, democracy, development and respect for human rights.

74. Mr. BAYAR (Turkey) said that the problem of terrorism continued to grow at an alarming rate despite the many conventions, legal instruments and United Nations resolutions on the subject. In dealing with the question of "international" terrorism, the Committee should not take a selective approach, but should bear in mind that in most attacks large numbers of innocent civilians lost their lives at the hands of politically motivated armed groups.

75. The forms and dimensions of terrorism had caused the international community to increase its vigilance, thus permitting the unanimous adoption by the United Natio s of texts in which terrorism was considered a gross violation of fundamental human rights. As terrorism went beyond national borders, there was a vital need for bilateral, regional and international cooperation that included measures for eradicating the links between terrorist groups and traffickers in arms and drugs. There were currently more than 100 internal conflicts going on around the world. In most of them, armed groups resorted to terrorist methods, with tragic consequences that were known only too well. It

was imperative for countries to remain firm in combating terrorism; accordingly, no concessions of any nature, such as paying ransom, releasing convicted terrorists from prison, applying more lenient policies or adopting selective criteria to accommodate terrorists' demands, should be made.

76. Turkey had repeatedly urged the international community to be resolute in fighting terrorism and had played an important role in the preparation and adoption of related international conventions, to which States that had not yet done so must accede. Accession, however, was not enough: States must also adapt their internal legislation to those instruments. The ICAO and IMO conventions filled a gap in international law, making it possible to try the perpetrators of terrorist attacks in accordance with the principle that they should be either extradited or prosecuted.

77. There were still some States that were lenient towards terrorists or even supportive of their political and propaganda activities. It should be borne in mind that Governments that used terrorists to achieve their political objectives might one day find that those same terrorists had turned against them.

78. Turkey welcomed the Declaration adopted in Vienna at the World Conference on Human Rights in which the scourge of terrorism was condemned. Currently, the inclination of the international community was to consider terrorism a crime against humanity, as could be seen from the draft Code of offences against the peace and security of mankind being prepared by the International Law Commission. In that connection, Turkey believed that General Assembly resolution 48/122 provided the international community with a new perspective in its fight against terrorism.

The meeting rose at 12.50 p.m.